



FEDERAL ELECTION COMMISSION

Washington, D.C. 20463

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COMMISSION
SECRETARIAT

2013 APR -9 PM 12: 38

SENSITIVE

1 TO: The Commission

2 FROM: Anthony Herman
3 General Counsel

4 Daniel A. Petalas
5 Associate General Counsel for Enforcement

6 BY: Peter Blumberg
7 Assistant General Counsel

8 Leonard O. Evans III
9 Attorney, Enforcement Division

10 SUBJECT: Pre-Probable Cause Conciliation in MUR 6718 (Ensign) (formerly Pre-MUR 520)
11

12 we attach proposed conciliation
13 agreements with Senator John Ensign, Ensign for Senate and Lisa Lisker in her official capacity
14 as treasurer, and Battle Born PAC and Lisa Lisker in her official capacity as treasurer
15 (collectively "Senator Ensign and the Ensign Committees") and Michael and Sharon Ensign.
16

17 We
18 recommend that the Commission accept the agreements to resolve this matter and
19 close the file.

20 On February 6, 2013, the Commission found reason to believe that, by paying a
21 severance to Cynthia Hampton, Michael and Sharon Ensign made \$57,400 in excessive in-kind
22 contributions to Senator Ensign and the Ensign Committees, in violation of 2 U.S.C.
23 § 441a(a)(1). The Commission also found that Senator Ensign and the Ensign Committees
24 knowingly accepted and failed to report the in-kind contributions, in violation of 2 U.S.C.
25 §§ 434(b) and 441a(f). In making these findings, the Commission concluded that \$72,000 of a
26 \$96,000 payment from a trust account controlled by Michael and Sharon Ensign to Cynthia
27 Hampton and members of Hampton's family was a severance to compensate Hampton for the
28 loss of her job as treasurer to the Ensign Committees.

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Pre-MUR 6718 (Ensign) (formerly Pre-MUR 520)
Pre-Probable Cause Conciliation Memorandum
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Pre-MUR 6718 (Ensign) (formerly Pre-MUR 520)
Pre-Probable Cause Conciliation Memorandum
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33 C. We Recommend Accepting the Agreements
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The Respondents have executed their respective agreements, and for the reasons described above, we recommend that the Commission now accept the signed agreements and bring this matter to a conclusion without the need for further proceedings.

RECOMMENDATIONS:

1. Accept the attached Conciliation Agreement executed by Michael and Sharon Ensign;
2. Accept the attached Conciliation Agreement executed by John E. Ensign, Ensign for Senate and Lisa Lisker in her official capacity as treasurer, and Battle Born Political Action Committee and Lisa Lisker in her official capacity as treasurer;
3. Approve the appropriate letters; and
4. Close the file.

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